

United States District Court
For the Northern District of California

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5 COMCAST CABLE COMMUNICATIONS
6 CORPORATION, LLC, a Pennsylvania
7 Corporation,

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9 No. C 06-04206 WHA
10

11 Plaintiff,

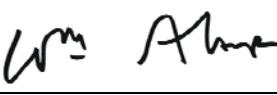
12 v.
13 **NOTICE AND REQUEST FOR
14 SUPPLEMENTAL BRIEFING**

15 Defendant.

16 At yesterday's hearing, the Court was concerned to learn that Comcast had produced no
17 documents in discovery, even though Comcast filed this action nine months ago. When a
18 plaintiff seeks the protection of a court in a declaratory judgment action, the plaintiff should be
19 (and usually is) quite forthcoming in discovery and scheduling so that the case can be resolved
20 on the merits fairly. The Court has been assuming that discovery was well underway.

21 The Court would like to roll this circumstance into the pending motion to stay the entire
22 case pending re-examination. Since the briefing on this issue is complete or will be by today,
23 each side may file a supplement up to ten pages (total, no appendices) setting forth the extent to
24 which discovery is still in the earliest stages, so that a stay might be appropriate. Each side
25 should file this by **MONDAY, MARCH 26, AT NOON**.

26
27 Dated: March 22, 2007.

28 
WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE